

REMARKS

Claims 1-34 are all the claims pending in the application.

Claim Rejections - 35 U.S.C. § 103

Claims 1-34 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,430,291 to Ogino *et al.* ("Ogino") in view of U.S. Patent Application Publication No. 2005/008,6488 to Kori *et al.* ("Kori"). For *at least* the following reasons, Applicants respectfully traverse the rejection.

Claim 1

Applicants respectfully submit that claim 1 is patentable over Ogino and Kori. For example, claim 1 recites a duplication controlling method for controlling duplication by embedding an electronic watermark indicating control information regarding duplication into contents. The electronic watermark indicates control information of contents subsequent to contents in which the electronic watermark is embedded. The Examiner contends that Kori, in paragraphs [0061]-[0064], [0053], [0086], [0092] discloses this feature. Applicants respectfully submit that the Examiner is misinterpreting the teachings of Kori.

For instance, in paragraph [0061], Kori clearly states that "the electronic watermark information of copy control information are superimposed on the entire interval from the start to the end of each piece of information content as shown in FIG. 4". Further, in paragraph [0094], Kori states that "the control block 40 checks both start and end flags, confirming the completion of copying" (emphasis added). Therefore, the electronic watermark information of copy control information superimposed on the entire interval is unique for each content. For example, CONTENT B shown in FIG. 4 of Kori has COPY CONTROL INFORMATION from the start to

end of CONTENT B. The COPY CONTROL INFORMATION indicates a type of copy control information. If the type is "copy prohibited", it indicates that a copy of CONTENT B is prohibited from the start to the end. That is, the COPY CONTROL INFORMATION only identifies copy control rules of contents in which the COPY CONTROL INFORMATION itself is embedded.

On the other hand, in claim 1, the electronic watermark indicates control information of contents subsequent to contents in which the electronic watermark is embedded. If, for example, the terms CONTENT B and CONTENT C of Kori are placed next to the "contents" they correspond to in claim 1, claim 1 would recite that the electronic watermark indicates control information of contents (CONTENT C) subsequent to contents (CONTENT B) in which the electronic watermark is embedded. However, as shown above, Kori does not disclose that the COPY CONTROL INFORMATION in CONTENTS B indicates control information of CONTENTS C.

Furthermore, according to the duplication controlling method set forth in claim 1, if a type of copy control information of CONTENT C (in Kori) is "copy allowed", it is possible to detect that the copy control information of CONTENT C is "copy allowed" while detecting that the copy control information of CONTENT B is "copy prohibited". Therefore, it is possible to prevent a detection delay of control information. In Kori, the watermark embedded in contents does not indicate control information of subsequent contents, and thus Kori does not allow prevention of such a detection delay.

In view of the above, Applicants respectfully submit that Ogino, Kori, or any conceivable combination thereof, do not disclose, teach or suggest the above-noted feature of claim 1. Accordingly, Applicants respectfully request the Examiner to withdraw the rejection.

Claims 2-6

Since claims 2-6 depend upon claim 1, Applicants submit that they are patentable at least by virtue of their dependency.

Claim 7

Since claim 7 contains features that are similar to the features discussed above in conjunction with claim 1, Applicants submit that the claim is patentable for similar reasons.

Claims 8-13

Since claims 8-13 depend upon claim 7, Applicants submit that they are patentable at least by virtue of their dependency.

Claim 14

Since claim 14 contains features that are similar to some of the features discussed above in conjunction with claim 1, Applicants submit that the claim is patentable for similar reasons.

Claims 15-19

Since claims 15-19 depend upon claim 14, Applicants submit that they are patentable at least by virtue of their dependency.

Claim 20

Since claim 20 contains features that are similar to some of the features discussed above in conjunction with claim 1, Applicants submit that the claim is patentable for similar reasons.

Claims 21-28

Since claims 21-28 depend upon claim 20, Applicants submit that they are patentable at least by virtue of their dependency.

Claim 29

Since claim 29 contains features that are similar to the features discussed above in conjunction with claim 1, Applicants submit that the claim is patentable for similar reasons.

Claims 30-34

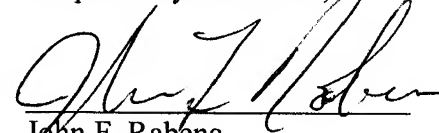
Since claims 30-34 depend upon claim 29, Applicants submit that they are patentable at least by virtue of their dependency.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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23373

CUSTOMER NUMBER

Date: August 7, 2007